



Entered on Docket  
February 08, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

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Attorneys for Secured Creditor WELLS FARGO BANK, NATIONAL ASSOCIATION AS  
TRUSTEE FOR THE CERTIFICATEHOLDERS OF STRUCTURED ASSET  
MORTGAGE INVESTMENTS II INC., BEAR STEARNS MORTGAGE  
FUNDING TRUST 2006-AR-3, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-AR3

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CLARYBEL FAJARDO ,

Debtor(s).

Bankruptcy Case No. BK-S-09-30764-lbr  
Chapter 7

WELLS FARGO BANK, NATIONAL  
ASSOCIATION AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF  
STRUCTURED ASSET MORTGAGE  
INVESTMENTS II INC., BEAR STEARNS  
MORTGAGE FUNDING TRUST 2006-AR-  
3, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-AR3'S  
ORDER TERMINATING AUTOMATIC  
STAY

Date: January 19, 2010

Time: 10:30 a.m.

1 A hearing on Secured Creditor Wells Fargo Bank, National Association as  
2 Trustee for the Certificateholders of Structured Asset Mortgage Investments II Inc., Bear Stearns  
3 Mortgage Funding Trust 2006-AR-3, Mortgage Pass-Through Certificates, Series 2006-AR3's  
4 Motion for Relief From the Automatic Stay came on regularly for hearing in the United States  
5 Bankruptcy Court before the Honorable Linda B. Riegle, Michelle Abrams appearing on behalf  
6 of Secured Creditor

7 The court having duly considered the papers and pleadings on file herein and  
8 being fully advised thereon and finding cause therefor:

9 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

10 The automatic stay of 11 United States Code section 362 is hereby immediately  
11 terminated as it applies to the enforcement by Movant of all of its rights in the real property  
12 under the Note and Deed of Trust encumbering the real property commonly known as 5442  
13 Cross Meadows Lane, Las Vegas, Nevada 89122 ("Real Property"), which is legally described  
14 as:

15 LOT FOUR HUNDRED SIXTY-EIGHT (468) OF  
16 COPPER CREEK UNIT NO. 3 AS SHOWN BY  
17 MAP THEREOF ON FILE IN BOOK 126 OF  
18 PLATS, PAGE 82 IN THE OFFICE OF THE  
19 COUNTY RECORDER OF CLARK COUNTY,  
20 NEVADA, AND AMENDED BY CERTIFICATE  
OF AMENDMENT RECORDED OCTOBER 19,  
2005, IN BOOK 20051019, AS DOCUMENT NO.  
01431.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant and/or  
22 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale  
23 of the Real Property to the Debtor(s) at the address for the Real Property at least 7 calendar days  
24 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at  
25 least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the  
26 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada  
27 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to  
28 provide 7 days' notice to the Debtor(s).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may offer and provide Debtor with information re: a potential Forbearance Agreement, Loan Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement with Debtor. However, Movant may not enforce, or threaten to enforce, any personal liability against Debtor if Debtor's personal liability is discharged in this bankruptcy case.

APPROVED/DISAPPROVED      APPROVED/DISAPPROVED

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JORGE L. SANCHEZ  
DEBTOR(S) ATTORNEY

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TIMOTHY S. CORY  
TRUSTEE

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ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ Approved.

☐ Disapproved.

☒ Failed to respond. – Debtor's Attorney/Trustee

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Submitted by:

/s/ JACQUE A. GRUBER

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SERIES 2006-AR3